



Arizona Medical Board

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December 11, 2002

Kenneth Mark Fisher, M.D.
1444 W Bethany Home Rd
Phoenix AZ 85013-1624

RE: D.S. v Kenneth M. Fisher
Case # MD-02-0416A

Dear Dr. Fisher:

The purpose of this letter is to inform you that during the course of the December 5, 2002 public meeting, the Arizona Medical Board (Board) reviewed the above-referenced complaint and all pertinent evidence and information gathered during the investigation. At the conclusion of its review, the Board voted to issue you this Advisory Letter for poor record keeping and documentation.

According to A.R.S. § 32-1401(3), an advisory letter is defined as a non-disciplinary letter that is intended to notify a licensee that while there is insufficient evidence to support disciplinary action, the Board believes that continuation of the activities that led to the investigation may result in further Board action against the licensee. Because an advisory letter is not a disciplinary action, it is not subject to review by either the Board or the Courts. See Murphy v. Board of Medical Examiners of the State of Arizona, 190 Ariz. 441, 949 P.2d 530 (App. 1997).

Even though the advisory letter cannot be appealed, pursuant to A.R.S. § 32-1451(E)(2), the licensee may file a written response to the letter with the Board within thirty days after receiving it. If timely received, the letter will be attached to the advisory letter and maintained in the permanent file. The written response will also be hyperlinked to the licensee's profile on the agency's website.

Sincerely,

Cheryl A. Cannon
Cheryl A. Cannon
Board Operations Coordinator
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/cac

cc: Investigation File
Permanent File # 12762